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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,110	09/12/2003	Bran Ferren	APPL0033	6488
22862 7590 02/07/2007 GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			EXAMINER CERVONE, MICHAEL ANTHONY	
			ART UNIT 2131	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS.			02/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/661,110	FERREN ET AL.	
	Examiner	Art Unit	
	Michael A. Cervone	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Attached</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, 13-19, 25 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Lauper et al. (US 6,717,607).

3. As per claim 1, Lauper is directed to an apparatus for synchronizing audio and video in videoconferences, comprising: a plurality of conference sites [See Col.4, lines 55-63 and Fig. 1]; and a hub (Central Unit) for receiving a composite audio and video signal from each site [See Col. 5, lines 37-38 and Fig. 1], determining for each site a currently displayed composite audio and video signals, and transmitting said currently displayed composite audio and video signal to each of said sites [See Col. 6, lines 42-46]; said hub receiving an audio only signal from each site; wherein said hub routes all incoming audio only signals to each site [See Col. 8, lines 38-67. No video transmission].

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4. As per claim 2, Lauper is applied as stated in the rejection of claim 1. Lauper further teaches that the audio only signal for a site comprises: a mixed audio signal composed of audio obtained from several microphones at said site [See Col. 5, lines 18-20].

5. As per claim 3, Lauper is applied as stated in the rejection of claim 1. Lauper further teaches that the composite audio and video signals are encrypted [See Col. 5, lines 39-40].

6. As per claim 4, Lauper is applied as stated in the rejection of claim 1. Lauper further teaches that the composite audio and video signals are compressed [See Col. 5, lines 39-40].

7. As per claim 5, Lauper is applied as stated in the rejection of claim 1. Lauper further teaches that the composite audio and video signals are both encrypted and compressed [See Col. 5, lines 39-40].

8. As per claim 6, Lauper is applied as stated in the rejection of claim 5. Lauper further teaches each site comprising: a decoder for decrypting and decompressing video within said currently displayed composite audio and video signal [See Col. 5, lines 49-52].

9. As per claim 7, Lauper is applied as stated in the rejection of claim 1. Lauper further teaches that the said audio only signal from each site is encrypted and compressed, each site comprising: a decoder for decrypting and decompressing said compressed and encrypted audio only signal from each site [See Col. 5, lines 49-52].

10. Claims 13-19 are method claims analogous to apparatus claims 1-7. Claims 13-19 are rejected based on the same rationale as the rejection of claims 1-7.

11. As per claim 25, Lauper is directed to an apparatus for synchronizing audio and video in encrypted videoconferences, comprising: a hub for receiving a compressed and encrypted [See Col. 5, lines 37-38 and Fig. 1], composite audio and video signal from a plurality of sites [See Col.4, lines 55-63 and Fig. 1 and Col. 5, lines 39-40], for determining a currently active site, and for transmitting said composite audio and video signal from said currently active site to all other sites [See Col. 6, lines 42-46]; said hub receiving a compressed and encrypted audio only signal from each site; wherein said hub routes all incoming compressed and encrypted audio only signals to each site [See Col. 8, lines 38-67. No video transmission].

12. Claim 27 is a method claims analogous to apparatus claim 25. Claim 27 is rejected based on the same rationale as the rejection of claim 25.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 8, 9, 12, 20, 21, 24, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lauper et al. (US 6,717,607) in view of Jang et al. (US 6,442,758).

15. As per claim 8, Lauper is applied as stated in the rejection of claim 1. Lauper fails to teach audio deselection. Jang is directed to a method for processing data in a multimedia conferencing system which teaches an audio deselection and mixing device for deselecting an audio only signal corresponding to an audio portion of said currently displayed composite audio and video signal [See Col. 12, lines 41-46], and for mixing said audio portion of said composite audio and video signal for said currently active site with all other audio only signals at said site; wherein audio associated with displayed video is synchronized with said displayed video [See Col. 14, lines 53-65 and Col. 16, line 57 – Col. 17, line 9]. Lauper and Jang are analogous art because they are both directed to the distribution of video and audio data in a videoconferencing environment. It is obvious to one skilled in the art to remove the audio data from the respective participant that is broadcasting. The person currently broadcasting does not need to hear their own audio and eliminating it will result in higher bandwidth and better clarity.

16. As per claim 9, Lauper and Jang are applied as stated in the rejection of claim 8. Lauper fails to teach audio deselection. Jang is directed to a method for processing data in a multimedia conferencing system which teaches delay circuitry for aligning said audio only signals with said composite audio and video signal [See Col. 12, lines 41-46, Col. 14, lines 53-65 and Col. 16, line 57 – Col. 17, line 9]. Lauper and Jang are analogous art because they are both directed to the distribution of video and audio data in a videoconferencing environment. It is obvious to one skilled in the art to remove the audio data from the respective participant that is broadcasting. The person currently broadcasting does not need to hear their own audio and eliminating it will result in higher bandwidth and better clarity.

17. As per claim 12, Lauper is applied as stated in the rejection of claim 1. Lauper fails to teach audio deselection. Jang is directed to a method for processing data in a multimedia conferencing system which teaches an audio deselection hub for deselecting those audio only signals not directly associated with an ongoing conversation. [See Col. 12, lines 41-46, Col. 14, lines 53-65 and Col. 16, line 57 – Col. 17, line 9]. Lauper and Jang are analogous art because they are both directed to the distribution of video and audio data in a videoconferencing environment. It is obvious to one skilled in the art to remove the audio data from the respective participant that is broadcasting. The person currently broadcasting does not need to hear their own audio and eliminating it will result in higher bandwidth and better clarity.

18. Claims 20, 21, and 24 are method claims analogous to apparatus claims 8, 9, and 12. Claims 20, 21, and 24 are rejected based on the same rationale as the rejection of claims 8, 9, and 12.

19. As per claim 26, Lauper is directed to an apparatus for synchronizing audio and video in encrypted videoconferences among a plurality of sites, at least two of said sites comprising: a decoder for decrypting and decompressing video within a composite audio and video signal for a currently active site [See Col. 5, lines 49-52]; a decoder for decrypting and decompressing a compressed and encrypted audio only signal from each site [See Col. 5, lines 49-52]. Lauper fails to teach audio deselection. Jang is directed to a method for processing data in a multimedia conferencing system which teaches an audio deselection and mixing device for deselecting an audio only signal corresponding to an audio portion of said composite audio and video signal for said currently active site [See Col. 12, lines 41-46], and for mixing said audio portion of said composite audio and video signal for said currently active site with all other audio only signals at said site; wherein audio associated with displayed video is synchronized with said displayed video [See Col. 14, lines 53-65 and Col. 16, line 57 – Col. 17, line 9]. Lauper and Jang are analogous art because they are both directed to the distribution of video and audio data in a videoconferencing environment. It is obvious to one skilled in the art to remove the audio data from the respective participant that is broadcasting.

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The person currently broadcasting does not need to hear their own audio and eliminating it will result in higher bandwidth and better clarity.

20. Claim 28 is a method claims analogous to apparatus claim 26. Claim 28 is rejected based on the same rationale as the rejection of claim 26.

21. Claims 10, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lauper et al. (US 6,717,607) in view of Kim et al. (US 5,936,662).

22. As per claim 10, Lauper is applied as stated in the rejection of claim 1. Lauper fails to teach split screen displays. Kim is directed to a videoconference control system which teaches that the hub transmits at least two composite audio and video signals to each site to provide a split screen display at each site [See Col. 7, lines 31-55 and Col 9, lines 1-17]. Lauper and Kim are analogous art because they are both directed to methods for distribution of video and audio data in a videoconferencing environment. Split screen technology is common in the art of videoconferencing and is would be obvious to one skilled in the art to combine the split screen display of Kim with the system of Lauper to provide multiple site video functionality to each display.

23. Claim 22 is a method claim analogous to apparatus claims 10. Claim 22 is rejected based on the same rationale as the rejection of claim 10.

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24. Claims 11 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lauper et al. (US 6,717,607) in view of Kim et al. (US 5,936,662) and further in view of Jang et al. (US 6,442,758).

25. As per claim 11, Lauper and Kim are applied as stated in the rejection of claim 10. Lauper and Kim fail to teach audio deselection. Jang is directed to a method for processing data in a multimedia conferencing system which teaches that the audio only signals which correspond to the composite audio and video signals are deselected at each said site [See Col. 12, lines 41-46, Col. 14, lines 53-65 and Col. 16, line 57 – Col. 17, line 9]. Lauper, Kim and Jang are analogous art because they are both directed to the distribution of video and audio data in a videoconferencing environment. It is obvious to one skilled in the art to remove the audio data from the respective participant that is broadcasting. The person currently broadcasting does not need to hear their own audio and eliminating it will result in higher bandwidth and better clarity.

26. Claim 23 is a method claim analogous to apparatus claims 11. Claim 23 is rejected based on the same rationale as the rejection of claim 11.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A. Cervone whose telephone number is 571-272-3712. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MAC 2/2/07


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